

AN ORDINANCE

99392

SELECTING K.M. NG AND ASSOCIATES, INC. (SBE/DBE/MBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE MARKET SQUARE REHABILITATION PHASE I PROJECT IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$117,148.00; AUTHORIZING \$11,715.00 FOR CONTINGENCY EXPENSES; AUTHORIZING \$1,400.00 FOR BID ADVERTISING/PRINTING EXPENSES; AUTHORIZING \$2,000.00 FOR MANDATORY PROJECT FEES, FOR A TOTAL AMOUNT OF \$132,263.00 FROM 1999-2004 GENERAL OBLIGATION STREETS AND PEDESTRIAN IMPROVEMENTS BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the Market Square has been an important market place in San Antonio's history, and consists of Farmer's Market, El Mercado, Centro de Artes del Mercado and three malls known as Mariachi Plaza, Madero Plaza and Hidalgo Plaza; and

WHEREAS, the City recently completed the Market Square Master Plan and Design Guidelines which identifies the need for capital improvements for drainage, utilities and ADA issues; and

WHEREAS, funding for the Market Square Rehabilitation Phase 1 Project is available from 1999-2004 General Obligation Streets and Pedestrian Improvements Bond funds and from 2002 Certificates of Obligation, which will include storm sewer replacement and Market Plaza improvements including paving repairs, lighting, landscaping and ADA accessibility and will encompass Produce Row from Santa Rosa St. to Concho St. and along Concho St. from Dolorosa St. to Produce Row; and

WHEREAS, the project will require professional engineering services to include design, public meetings, plan preparation and bid documents, construction phase services and additional services, including required inspections and surveys; and

WHEREAS, the firm of K.M. Ng and Associates, Inc. submitted a proposal to perform these services and the City staff has selected the firm to perform these professional services after review through the Consultant Selection Committee; and

WHEREAS, it is necessary to authorize execution of a professional services contract, establish a project budget and allocate funds for these professional services; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. K.M. Ng and Associates, Inc. is hereby selected to provide engineering services in connection with the Market Square Rehabilitation Phase 1 Project.

Section 2. The City Manager, or her designee, is hereby authorized and directed to commence negotiations with said firm to reach an agreement on a contract for the fair and reasonable amount up to a total of \$117,148.00 for engineering services. Upon execution, copies of said contract shall be filed with the Department of Public Works and the Department of Parks and Recreation.

Section 3. If a contract can be negotiated corresponding in form and content to the standard contract used by the City of San Antonio for such services, and for the amount stated herein, then the City Manager, or in her stead, either the Assistant City Manager or the Director of Public Works is hereby authorized to execute such contract without further City Council action

Section 4. Fund 45-972055 is hereby established to account for the expenses associated with the Market Square Rehabilitation Phase 1 Project.

Section 5. The budget in Fund 45-972095, 1999 Street Improvements, Sold in 2001, shall be revised by reducing index code 695577, entitled Unallocated Appropriations: Proceeds, by the amount of \$132,263.00.

Section 6. The amount of \$117,148.00 is appropriated in fund 45-972055, 1999 Street Improvements, Sold in 2001, in index code 783548, entitled Engineering Fees, and is authorized to be encumbered and made payable to K.M. Ng and Associates, Inc., for engineering consultant services in connection with the Market Square Rehabilitation Phase I Project.

Section 7. The amount of \$11,715.00 is appropriated in fund 45-972055, 1999 Street Improvements, Sold in 2001, in index code 783688, entitled Engineering Contingency, and is authorized to be encumbered and made payable to K.M. Ng and Associates, Inc. for engineering consultant contingencies including code requirements, unknown hidden existing conditions and project betterment in connection with the Market Square Rehabilitation Phase I Project.

Section 8. The amount of \$1,400.00 is appropriated in fund 45-972055, 1999 Street Improvements, Sold in 2001, in index code 783829, entitled Bid Advertising/Printing, and is authorized to be encumbered and made payable for bid advertising and printing expenses in connection with the Market Square Rehabilitation Phase I Project.

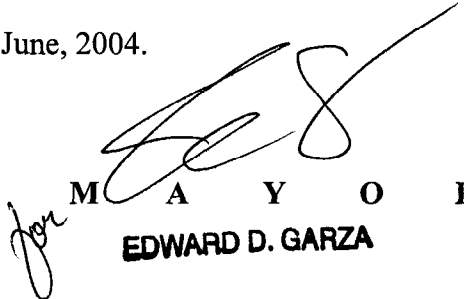
Section 9. The amount of \$2,000.00 is appropriated in fund 45-972055, 1999 Street Improvements, Sold in 2001, in index code 783969, entitled Mandatory Project Fees, and is authorized to be encumbered and made payable for mandatory project fees including required fees, inspections or other special reports required for the project in connection with the Market Square Rehabilitation Phase I Project.

Section 10. Staff is hereby authorized to adjust line items within the budget of Fund 45-972055, 1999 Street Improvements, Sold in 2001, Market Square Rehabilitation Phase 1 Project, through the normal budget adjustment process.

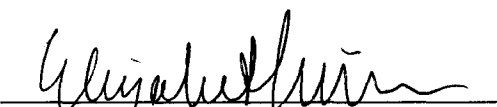
Section 11. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

Section 12. This ordinance shall be effective on and after July 4, 2004.

PASSED AND APPROVED this 24th day of June, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney